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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/738,357 | 12/15/2003 | Dan Jones | 45098.00017.UTL1 | 8550 |

36183 7590 09/20/2006

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| EXAMINER | |
|---|---|
| PESIN, BORIS M | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2174 | |

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/738,357 | JONES ET AL. | |
| | Examiner | Art Unit | |
| | Boris Pesin | 2174 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *29 June 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Response to Amendment*

This communication is responsive to the amendment filed 6/29/2006.

Claims 1-24 are pending in this application. Claims 1, 17, and 22 are independent claims. In the amendment filed 6/29/2006, Claims 9-12 were amended. This action is made Final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-16 are rejected under 35 U.S.C. 102(a) as being anticipated by Screen Dumps of Windows Media Player 9 used on Windows XP ("Windows").

For independent claim 1, Windows teaches a user interface on a display device for application sharing in a multimedia collaboration system (Fig. 1, 10), wherein the user interface, comprises:

a display region (Fig. 1, 10);

a taskbar region within the display region (Fig. 1, 11);

a desktop region also within the display region (Fig. 1, 12);

a control application running within the taskbar region (Fig. 1, 13);

a window within the desktop region associated with an application running within the desktop region (Fig. 1, 14); and

wherein the taskbar region and desktop region do not overlap within the display region (Fig. 1, 11 and 12).

As per claim 2, Windows teaches the user interface of claim 1, wherein the taskbar region can be resized within the display region (Fig. 1, 11 and then resized in the display region in Fig. 2, 11a).

As per claim 3, Windows teaches the user interface of claim 1, wherein the taskbar region can be closed (Fig. 3).

As per claim 4, Windows teaches the user interface of claim 1, wherein the taskbar region can be minimized (Fig. 5 shows the taskbar already minimized. In order to get the taskbar minimized, a user would right-click on an unused space on the taskbar (Fig. 4, 41) and menu (Fig. 4, 42) appears. After selecting *Properties* (Fig. 4, 40), a window appears (Fig. 5, 52; *Taskbar and Start Menu Properties*). A user would select *Auto-hide the taskbar* (Fig. 5, 50) and then hit *OK* (Fig. 5, 51). The taskbar is then minimized and can be maximized when a user slides the mouse pointer all the way to the bottom of the display (Fig. 5, 10)).

As per claim 5, Windows teaches the user interface of claim 1, wherein the taskbar region can be relocated within the display region (Fig. 1, 11 and then relocated within the display region in Fig. 2, 11a).

As per claim 6, Windows teaches the user interface of claim 1, wherein the desktop region can be resized within the display region (Fig. 1, 12 and then resized within the display region in Fig. 2, 12a).

As per claim 7, Windows teaches the user interface of claim 1, wherein the control application (Fig. 6, 13) includes a menu of control options (After a user hits button (Fig. 6, 60), menu of control options appears (Fig. 6, 61)).

As per claim 8, Windows teaches the user interface of claim 1, wherein a configuration associated with the taskbar region can be changed (taskbar region's configuration was changed as seen first on the bottom (Fig. 1, 11) of the display (Fig. 1, 10) and then resized and relocated to the left (Fig. 2, 11a) of the display (Fig. 2, 10)), and wherein a configuration associated with the desktop region is automatically changed in response to a change in the configuration of the task bar region (desktop region was automatically resized and relocated to maximize in the right side of the display (Fig. 2, 12a) after the configuration change of the taskbar as described above).

As per claim 9, Windows teaches the user interface of claim 8, wherein the change in the configuration associated with the task bar region includes the position and the size of the task bar region (taskbar region's configuration was changed as seen first on the bottom (Fig. 1, 11) of the display (Fig. 1, 10) and then resized and relocated to the left (Fig. 2, 11a) of the display (Fig. 2, 10)).

As per claim 10, Windows teaches the user interface of claim 8, wherein the change in the configuration associated with the display region includes the position and the size of the display region (desktop region was automatically resized and relocated to maximize in the right side of the display (Fig. 2, 12a) after the configuration change of the taskbar as described above).

As per claim 11, Windows teaches the user interface of claim 2, wherein resizing the taskbar region (taskbar region's configuration was changed as seen first on the bottom (Fig. 1, 11) of the display (Fig. 1, 10) and then resized and relocated to the left (Fig. 2, 11a) of the display (Fig. 2, 10)) automatically resizes the desktop region to maximize the display area within the display region without overlap between the taskbar region and the desktop region (desktop region was automatically resized and relocated to maximize in the right side of the display (Fig. 2, 12a) after the configuration change of the taskbar as described above. Fig. 2 shows that the taskbar region (11a) and the desktop region (12a) still do not overlap).

As per claim 12, Windows teaches the user interface of claim 1, wherein the window (Fig. 7, 14) can be resized (After hitting the button (Fig. 7, 70), the window (Fig. 7, 14) is resized (Fig. 8, 80)) within the desktop region (Fig. 8, 12).

As per claim 13, Windows teaches the user interface of claim 1, wherein the desktop region (Fig. 9, 12) has multiple windows (Fig. 9, 90-92) that can be resized (Fig. 10, 90-92 are now resized) within the desktop region (Fig. 10, 12).

As per claim 14, Windows teaches the user interface of claim 1, wherein the taskbar region includes multiple control applications (Fig. 11, 13 and 110).

As per claim 15, Windows teaches the user interface of claim 1, wherein at least a portion of the desktop region is configured to be shared (Fig. 12, 12; the application displayed in the desktop region is sharing music data from the website: http://www.amazon.com/exec/obidos/tg/detail/-/B000B8QEZG/qid=1135176691/sr=2-1/ref=pd_bbs_b_2_1/104-0180292-0043907?v=glance&s=music sample song number 1, *Hung Up*), while at least a portion of the task bar region is configured such that sharing is prevented (Fig. 12, 20-21 and 23-24; taskbar regions not being shared and Fig. 12, 22 is being shared as described above).

As per claim 16, Windows teaches the user interface of claim 1, further comprising a plurality of task bar regions (Fig. 2, 20-24).

Claims 17-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Rodgers et al. ("Rodgers", US PGPUB # 2002/0026478 A1).

For independent claim 17, Rodgers teaches a multimedia collaboration system for application sharing between a local multimedia device and a remote multimedia device (ABSTRACT), wherein the system comprises:

a local multimedia device (Fig. 3 and paragraph [0092]; *the computer of a first user (e.g., the first computer 110 in FIG. 1)*) including a sharer interface on a sharer display device (Fig. 3; display of first computer has the sharer interface which is on the left), wherein the sharer interface comprises:

a sharer display region (Fig. 3; display of first computer which is on the left);

a sharer taskbar region within the sharer display region (Fig. 3, (144) and paragraph [0092]; *taskbar*);

a sharer desktop region also within the sharer display region (Fig. 3, (140) and paragraph [0092]; *desktop*);

a sharer control application running within the sharer taskbar region (Fig. 3, (146) and paragraph [0092]; *a taskbar 144, which includes an icon 146 to initiate linked multi-user groups*);

a sharer window within the sharer desktop region associated with an application running within the sharer desktop region (Fig. 7, (192)); and

wherein the sharer taskbar region and sharer desktop region do not overlap within the sharer display region (Fig. 3, (144) and (140));

a remote multimedia device (Fig. 3 paragraph [0093]; *A second user (e.g., on the second computer 111 in FIG. 1)*) including a viewer interface on a viewer display device (Fig. 3; display of second computer has the viewer interface which is on the right), which is coupled to the sharer display device (Fig. 3, (100)), wherein the viewer interface comprises:

a viewer display region (Fig. 3; display of second computer which is on the right);

a viewer desktop region also within the viewer display region (Fig. 3, (141) and paragraph [0093]; *desktop*); and

a viewer window within the viewer desktop region (Fig. 7, (193)).

As per claim 18, Rodgers teaches the multimedia collaboration system of claim 17, wherein the local multimedia device further comprises a sharer collaborative

application running within the sharer taskbar region (Fig. 3, (146) and paragraph [0092]; *a taskbar 144, which includes an icon 146 to initiate linked multi-user groups*).

As per claim 19, Rodgers teaches the multimedia collaboration system of claim 18, wherein the sharer collaborative application is configured to allow at least a portion of the sharer desktop region to be shared with the remote multimedia device, while preventing sharing of the sharer task bar region (paragraphs [0131] and [0132]; *it is the web browsers themselves (which are shared in a linked multi-user group) that transfer the copy of the web document from one of the web browsers to the other. This is conceptually illustrated in FIG. 7, wherein the web server 190 is shown as being directly coupled only to the web browser 192 on the first computer 110*).

As per claim 20, Rodgers teaches the multimedia collaboration system of claim 19, wherein at least a portion of the viewer desktop region corresponds with at least a portion of the sharer desktop region (Fig. 8 and paragraphs [0131]-[0134]; *it is the web browsers themselves (which are shared in a linked multi-user group)*).

As per claim 21, Rodgers teaches the multimedia collaboration system of claim 20, wherein the viewer window corresponds to the sharer window (Fig. 8 and paragraphs [0131]-[0134]; *it is the web browsers themselves (which are shared in a linked multi-user group)*).

For independent claim 22, Rodgers teaches a method of application sharing between a local multimedia device and a remote multimedia device in a multimedia collaboration system (ABSTRACT), the method comprising:

allocating distinct areas on a sharer display interface (Fig. 3; display of first computer has the sharer interface which is on the left) for a sharer taskbar region and a sharer desktop region, so that the sharer taskbar region and sharer desktop region do not overlap (Fig. 3, (144) and (140));

allocating distinct areas on a viewer display interface (Fig. 3; display of second computer has the viewer interface which is on the right) for a viewer desktop region (Fig. 3, (141) and paragraph [0093]; *desktop*); and

sharing at least a portion of the sharer desktop region with the remote multimedia device, while preventing any portion of the task bar region from being shared (paragraphs [0131] and [0132]; *it is the web browsers themselves (which are shared in a linked multi-user group) that transfer the copy of the web document from one of the web browsers to the other. This is conceptually illustrated in FIG. 7, wherein the web server 190 is shown as being directly coupled only to the web browser 192 on the first computer 110*).

As per claim 23, Rodgers teaches the method of claim 22, wherein sharing at least a portion of the desktop region comprises sharing a window associated with an application running in the desktop region (Fig. 8 and paragraphs [0131]-[0134]; *it is the web browsers themselves (which are shared in a linked multi-user group)*).

As per claim 24, Rodgers teaches the method of claim 22, further comprising changing a configuration associated with the sharer task bar region and automatically changing a configuration associated with the sharer desktop region in response to the change to the configuration associated with the sharer task bar region (Official Notice is

given that changing the configuration associated with the task bar region in the Windows environment would automatically change the configuration associated with the desktop region. One of ordinary skill in the art at the time the invention was made would have known that dragging the taskbar by the resize arrows would change the size (configuration) of the taskbar and thus change the size (configuration) of the desktop region. Rodgers teaches the sharer taskbar and desktop as the Windows environment (Fig. 3, (144); *Start* and paragraph [0071]). For further support, it is demonstrated above in the rejection for claim 8 how resizing the taskbar region in the Windows environment will automatically change the configuration of the desktop region).

***Response to Arguments***

Applicant's arguments filed 6/29/2006 have been fully considered but they are not persuasive.

In response to applicant's arguments, the recitation "for application sharing in a multimedia collaboration system" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Furthermore, the claim language is silent in respect to "multiple users or computers, or interconnectivity between them" therefore this cannot be given any patentable weight.

In regards to the Applicant's argument that the taskbar and desktop in Windows overlaps, the Examiner respectfully disagrees. The Applicant gives one example when the taskbar and the desktop do overlap, that being when the taskbar set to autohide (Page 13). The Examiner agrees with the Applicant and admits that in that one particular instance there is overlapping. However, that is only one case. The claim language does not indicate nor require that the taskbar and the desktop never overlap; the claim language only requires an instance where they don't overlap. The Applicant admits that "Windows ... relocates its icons on the desktop and resizes displayed windows so as to make it appear as if the taskbar and the desktop do not overlap" (Page 13). This one instance where the windows are resized and the icons are relocated on the screen illustrates that the taskbar and the desktop do not overlap.

In regards to the Applicant's argument that Windows fails to teach a taskbar region that is completely outside of the desktop, the Examiner points out that "completely outside of the desktop" is not part of the claim limitations and therefore given no patentable weight.

In regards to the Applicant's argument that Rodgers fails to disclose the claimed sharer window within the sharer desktop region associated with an application running within the sharer desktop region, the Examiner disagrees. Rogers Figure 7 Element 192 clearly shows a sharer window. The window is sharing a web browser. The

Examiner invites the Applicant to clearly define what a sharer window is in the claim language. Taking the broadest reasonable interpretation of a sharer window, a window that shares information, Rogers clearly teaches a sharer window.

In regards to the Applicant's argument that Rogers fails to teach a viewing window displaying only an image corresponding to the sharer desktop and its applications, the Examiner points out that "an image corresponding to the sharer desktop and its applications" is not part of the claim limitations and therefore given no patentable weight.

In regards to the Applicant's argument that Rodgers does not teach allocating regions of a display into distinct taskbar and desktop regions by the method of application sharing, the Examiner points out that "by the method of application sharing" is not part of the claim limitations and therefore given no patentable weight. Furthermore, the Applicant concedes that Windows is responsible for allocating regions of a display into distinct taskbar and desktop regions by the method of application sharing (Page 19); therefore all of the claim limitations are met.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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